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Date: October 16, 2003

*Sean Mellino*

Sean Mellino

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Achim Berthold

Serial No. : 09/743,292 (Conf. No.: 7217)

Filed : March 27, 2001

Title : Transdermal Plaster Containing at Least One Active  
Ingredient which Influences Blood Serum Levels

Examiner : Humera N. Sheikh

Art Unit : 1615

Attorney Docket : RO0212US.RCE (#90568)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**AMENDMENT TRANSMITTAL**

Dear Sir:

Transmitted herewith is an amendment in the above-identified case.

( ) No additional fee is required.

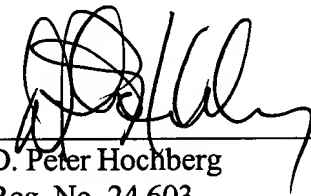
| CLAIMS AS AMENDED |   |   |                                       |   |                  |   |          |            |
|-------------------|---|---|---------------------------------------|---|------------------|---|----------|------------|
|                   | Claims<br>Remaining<br>After<br>Amendment |   | Highest No.<br>Previously<br>Paid For |   | Present<br>Extra |   | Rate     | Addtl. Fee |
| Total<br>Claims   | 28  | - | 20                                    | = | 8                | x | \$ 18.00 | \$144.00   |
| Indep             | 4   | - | 3                                     | = | 1                | x | \$ 84.00 | \$84.00    |

|  |  |  |  |  |  |  |  |          |
|--|--|--|--|--|--|--|--|----------|
| Claims   |  |  |  |  |  |  |  |          |
| SUB TOTAL  |  |  |  |  |  |  |  | \$228.00 |
| SMALL ENTITY ENTITLEMENT MULTIPLICATION FACTOR (50%) |  |  |  |  |  |  |  |          |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT              |  |  |  |  |  |  |  | \$228.00 |

- If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 6.  
-- If the "Highest No. Previously Paid For" in this space is less than 20, write 20 in this space.

- ( ) Small Entity Entitlement Form of record.  
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(X) Please charge any additional fees to Deposit Account No. 08-2441.  
(X) **Refund** directly to the undersigned, **specifically identifying our Docket No. RO0212US.RCE (#90568)**. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:   
D. Peter Hochberg  
Reg. No. 24,603

D. Peter Hochberg Co., L.P.A.  
1940 East 6th Street - 6<sup>th</sup> Floor  
Cleveland, Ohio 44114-2294  
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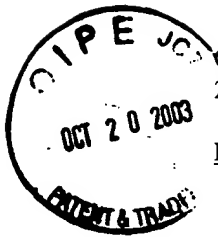
|   |                             |                               |                       |
|---|-----------------------------|-------------------------------|-----------------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | <b>Application Number</b>   | 09/743,292                    |                       |
|   | <b>Filing Date</b>          | March 27, 2001                |                       |
|   | <b>First Named Inventor</b> | Achim Berthold                |                       |
|   | <b>Group Art Unit</b>       | 1615                          |                       |
|   | <b>Examiner Name</b>        | Humera N. Sheikh              |                       |
| <b>Total Number of Pages in This Submission</b>   |                             | <b>Attorney Docket Number</b> | RO0212US.RCE (#90568) |

| ENCLOSURES (check all that apply)  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form                     | <input type="checkbox"/> Assignment Papers (for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input checked="" type="checkbox"/> Fee Attached                             | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input checked="" type="checkbox"/> Amendment / Reply                        | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):            |
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| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s) _____                                      |  |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    | <b>Remarks</b>  |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual name                    | D. Peter Hochberg; D. Peter Hochberg Co., L.P.A. |
| Signature                                  |  |
| Date                                       | October 16, 2003                                 |

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| Typed or printed name  | Sean Mellino     |
| Signature  |                  |
| Date   | October 16, 2003 |

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**Reply to Office Action Issued July 16, 2003**

Dear Sir:

Favorable reconsideration of the above-identified patent application is respectfully requested in view of the following comments. In response to the Office action dated July 16, 2003, the following amendment is being submitted:

10/23/2003 RMEBRAHT 00000157 082441 09743292

01 FC:1201 86.00 OP  
02 FC:1202 2.00 DA 142.00 OP